

**OFFICIAL**  
Patents

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Gerald H. Ablan )  
Serial No.: 09/644,411 ) Art Unit: 3621  
Filed: August 23, 2000 ) Examiner: C. Hewitt II  
For: Auction Management System )

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**RESPONSE TO FIRST OFFICIAL ACTION**

Commissioner for Patents  
Mail Stop Non-Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 16, 2003

Sir:

**AMENDMENT**

In response to the First Official Action mailed October 4, 2003, please enter the amendment shown in the attached Amendment Dated December 16, 2003.

**REMARKS**

The examiner rejected certain of the previously pending claims based on the form of the claims under 35 U.S.C. § 101 and 112. The claims have been amended to overcome these rejections. In particular, all the claims are now directed to a computer-readable medium containing computer executable instructions or to a computer controlled apparatus executing such instructions. A method that could conceivably be implemented by a person without the use of a computer is not claimed.

I hereby certify that this correspondence is being filed with the  
United States Patent and Trademark Office, Patents by  
facsimile directed to Examiner Calvin Lloyd Hewitt II in Art Unit  
3621 at (703) 305-7687 on August 16, 2003.

Michael J. Mehrman - Reg. No. 40,086